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Attn: Elsa Kellar, Legal Administrator
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

EXAMINER

HOLLIDAY, JAIME MICHELE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/672,902	Applicant(s) CASPI ET AL.	
	Examiner Jaime M. Holliday	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 23, 2007 has been entered.

Response to Amendment

Response to Arguments

2. Applicant's arguments with respect to **claims 1-21** have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claims 19-21** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 19 recites the limitation "said associated ones" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

7. **Claims 19-21** are rejected under 35 U.S.C. 102(a) as being anticipated by **Watanabe et al. (Pub # U.S. 2003/0013444 A1)**.

Consider **claims 19-21**, Watanabe et al. clearly show and disclose that a base station periodically advertises location area numbers corresponding to a plurality of mobile terminal status numbers, and the mobile terminal monitors advertising signals at the advertising information monitoring unit **1c**. Upon receiving advertising information, the mobile terminal compares a location area number corresponding to the mobile terminal status number to which the terminal belongs to the location area number managed at the location information storing unit. By performing this comparison, if the two numbers are different, the mobile terminal can detect the fact that the location area has changed. If the two numbers are different, the mobile terminal sends a location registration request signal to the base station. The mobile terminal sends its mobile device number

and mobile terminal status information by adding them to a location registration request signal. Upon receiving the location registration request signal, the base station determines a location area based on the mobile terminal status information at the location area determining function unit 3c. Then, a periodic location registration timer value corresponding to the mobile terminal status number is determined at the periodic location registration timer value storing unit. Then, the base station transmits the location registration request signal to the location information management node. To this location registration request signal, its mobile device number, mobile terminal status information, the location area number and the periodic location registration timer value are attached such that the respective information is advertised by means of this location registration request signal. Upon receiving the location registration request signal, the location information management node updates the location area number and the mobile terminal status number, mobile terminal status number for the mobile terminal, and activates the periodic location registration timer. Then, the location information management node sends back a location registration response to the base station. The base station in turn sends back the location registration response signal containing the determined mobile terminal status number, the location area number, and the periodic location registration timer value to the mobile terminal. Upon receiving this location registration response signal, the mobile terminal stores the mobile terminal status number and the location area number respectively in the mobile terminal status number storing unit and the

location information storing unit id, and activates the periodic location registration timer. Once the periodic location registration timer expires, the mobile terminal sends a location registration request signal to the base station. When the periodic location registration timer expires, a location registration request is sent to the base station, and settings for a location area are made based on the mobile terminal status information sent from the mobile terminal, reading on the claimed "A telecommunications system, comprising: a plurality of network clients including a positioning controller and a communications controller; and a positioning server configured to receive position information from said positioning controller, wherein position information is received at the positioning server responsive to periodic expirations of a watchdog timer, the watchdog timer initialized responsive to receiving indicia of a presence of associated ones; positioning server includes said watchdog timer; plurality of network clients includes said watchdog timer," (paragraph 36).

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. **Claims 1-3, 7-9, 14 and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Stewart (U.S. Patent # 6,643,516 B1)** in view of **Watanabe et al. (Pub # U.S. 2003/0013444 A1)**.

Consider **claim 1**, Stewart clearly shows and discloses a telephone system, reading on the claimed "telecommunications system," comprising: a plurality of first telephones and a remote portable telephone including a position locator and a telephone exchange **16**, reading on the claimed "plurality of network clients including a positioning controller and a communications controller," (column 2, lines 25-32), and a centralized base station **17** with a transceiver for receiving location signals from a portable telephone that includes the position locator, reading on the claimed "positioning server configured to receive position information from said positioning controller," (column 2, lines 53-55); wherein centralized base station includes a router which receives incoming location request signals and is capable of waiting a preselected time from receipt of location request signal. It is inherent that a timer is necessary for this process, reading on the claimed "positioning server includes a timer for determining when said position information is to be received from associated ones of said plurality of network clients," (column 4, lines 53-65).

However, Stewart fails to disclose that the system uses a periodic timer.

In the same field of endeavor, Watanabe et al. clearly show and disclose that a base station periodically advertises location area numbers corresponding to a plurality of mobile terminal status numbers, and the mobile terminal monitors advertising signals at the advertising information monitoring unit 1c. Upon receiving advertising information, the mobile terminal compares a location area number corresponding to the mobile terminal status number to which the terminal belongs to the location area number managed at the location information storing unit. By performing this comparison, if the two numbers are different, the mobile terminal can detect the fact that the location area has changed. If the two numbers are different, the mobile terminal sends a location registration request signal to the base station. The mobile terminal sends its mobile device number and mobile terminal status information by adding them to a location registration request signal. Upon receiving the location registration request signal, the base station determines a location area based on the mobile terminal status information at the location area determining function unit 3c. Then, a periodic location registration timer value corresponding to the mobile terminal status number is determined at the periodic location registration timer value storing unit. Then, the base station transmits the location registration request signal to the location information management node. To this location registration request signal, its mobile device number, mobile terminal status information, the location area number and the periodic location registration timer value are attached such that the respective information is advertised by means of

this location registration request signal. Upon receiving the location registration request signal, the location information management node updates the location area number and the mobile terminal status number, mobile terminal status number for the mobile terminal, and activates the periodic location registration timer. Then, the location information management node sends back a location registration response to the base station. The base station in turn sends back the location registration response signal containing the determined mobile terminal status number, the location area number, and the periodic location registration timer value to the mobile terminal. Upon receiving this location registration response signal, the mobile terminal stores the mobile terminal status number and the location area number respectively in the mobile terminal status number storing unit and the location information storing unit id, and activates the periodic location registration timer. Once the periodic location registration timer expires, the mobile terminal sends a location registration request signal to the base station. When the periodic location registration timer expires, a location registration request is sent to the base station, and settings for a location area are made based on the mobile terminal status information sent from the mobile terminal, reading on the claimed "positioning server includes a periodic timer for determining when said position information is to be received from associated ones of said plurality of network clients responsive to receiving indicia of a presence of said associated ones such that said position information is received responsive to periodic expirations of the timer," (paragraph 36).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have a periodic timer to update location information as taught by Watanabe et al. in the system of Stewart, in order to provide the server with updated information on the mobile unit or portable telephone.

Consider **claim 2**, Stewart, as modified by Watanabe et al., clearly shows and discloses the claimed invention **as applied to claim 1 above**, and in addition, Stewart further discloses that the telephone system comprises a portable phone with a position locator, such as a GPS locator, thus making the locator capable of receiving of global positioning network signals for determining position, reading on the claimed "positioning controller receives global positioning network signals for determining a position of an associated network client," (column 1, lines 50-54).

Consider **claim 3**, Stewart, as modified by Watanabe et al., clearly shows and discloses the claimed invention **as applied to claim 2 above**, and in addition, Stewart further discloses that the first telephones and the remote portable telephone could have cableless connections such as radio or satellite connections. The first telephone could also be a portable telephone, thus making the telephone exchange a cellular network system, reading on the claimed "communications controller comprises a cellular network controller for transmitting on a cellular telephone network to said server," (column 4, lines 18 –25).

Consider **claim 7**, Stewart clearly shows and discloses a portable telephone, reading on the claimed "telecommunications device," comprising: a position locator,

which can determine location of the portable phone and generate a corresponding location signal, reading on the claimed "positioning controller adapted to determine positioning information for said telecommunications device," (column 2, lines 1-4), and a transceiver, reading on the claimed **46** "wireless data controller," connected to the antenna of the portable telephone, receives location signals from the GPS location detector **40**, and the transmits signal to the centralized base station, from which the location request code was received **216** (column 5, lines 21-23; column 6, line 1; column 7, lines 51-60, figure 2). If the location request code requests location reports at predetermined time intervals, the processor **32** checks the timer and waits for predetermined time interval to elapse, then location from detector is transmitted to base station, reading on the claimed "wireless data controller adapted to receive said positioning information from said positioning controller and cause said positioning information to be transmitted to an associated server at predetermined intervals," (column 7, lines 65-67; column 8, lines 1-8).

However, Stewart fails to disclose that the system uses a periodic timer.

In the same field of endeavor, Watanabe et al. clearly show and disclose that a base station periodically advertises location area numbers corresponding to a plurality of mobile terminal status numbers, and the mobile terminal monitors advertising signals at the advertising information monitoring unit **1c**. Upon receiving advertising information, the mobile terminal compares a location area number corresponding to the mobile terminal status number to which the terminal belongs to the location area number managed at the location information storing unit. By

performing this comparison, if the two numbers are different, the mobile terminal can detect the fact that the location area has changed. If the two numbers are different, the mobile terminal sends a location registration request signal to the base station. The mobile terminal sends its mobile device number and mobile terminal status information by adding them to a location registration request signal. Upon receiving the location registration request signal, the base station determines a location area based on the mobile terminal status information at the location area determining function unit 3c. Then, a periodic location registration timer value corresponding to the mobile terminal status number is determined at the periodic location registration timer value storing unit. Then, the base station transmits the location registration request signal to the location information management node. To this location registration request signal, its mobile device number, mobile terminal status information, the location area number and the periodic location registration timer value are attached such that the respective information is advertised by means of this location registration request signal. Upon receiving the location registration request signal, the location information management node updates the location area number and the mobile terminal status number, mobile terminal status number for the mobile terminal, and activates the periodic location registration timer. Then, the location information management node sends back a location registration response to the base station. The base station in turn sends back the location registration response signal containing the determined mobile terminal status number, the location area number, and the periodic location registration timer value to the mobile

terminal. Upon receiving this location registration response signal, the mobile terminal stores the mobile terminal status number and the location area number respectively in the mobile terminal status number storing unit and the location information storing unit id, and activates the periodic location registration timer. Once the periodic location registration timer expires, the mobile terminal sends a location registration request signal to the base station. When the periodic location registration timer expires, a location registration request is sent to the base station, and settings for a location area are made based on the mobile terminal status information sent from the mobile terminal, reading on the claimed "wireless data controller adapted to receive said positioning information from said positioning controller and cause said positioning information to be transmitted to an associated server at predetermined periodic intervals responsive to an activation with the associated server and upon expiration of a watchdog timer that begins a first count upon said activation," (paragraph 36).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have a periodic timer to update location information as taught by Watanabe et al. in the system of Stewart, in order to provide the server with updated information on the mobile unit or portable telephone.

Consider **claim 8**, Stewart, as modified by Watanabe et al., clearly shows and discloses the claimed invention **as applied to claim 7 above**, and in addition, Stewart further discloses that the portable telephone has a position locator such as a GPS receiver, reading on the claimed "positioning controller receives Global

Positioning System (GPS) signals to determine said positioning information," (column 1, lines 50-53; figure 2).

Consider **claim 9**, Stewart, as modified by Watanabe et al., clearly shows and discloses the claimed invention **as applied to claim 7 above**, and in addition, Stewart further discloses a portable telephone has a transceiver, connected to the antenna of the portable telephone, receives location signals from the GPS location detector, and the transmits signal to the centralized base station, reading on the claimed "wireless data controller is adapted to receive requests from said server to provide positioning information-related updates to said server," (column 5, lines 21-23; column 6, line 1; column 7, lines 51-60, figure 2).

Consider **claim 14** Stewart clearly shows and discloses a method of communicating with a portable telephone, reading on the claimed "telecommunications method," comprising (column 3, lines 1-4): directing a location request signal to a position locator on the portable telephone, which can determine the location of the portable telephone and generate a corresponding location signal, reading on the claimed "receiving one or more positioning signals at a wireless device," (column 3, lines 30-35); and transmitting the location signal from the portable device to the centralized base station, wherein centralized base station includes a router which receives incoming location request signals and is capable of waiting a preselected time from receipt of location request signal. It is inherent that a timer is necessary for this process, reading on the claimed "transmitting position updates from said wireless device via a wireless data network to a server, said

server including a timer for determining when said position updates are to be received from said wireless device," (column 3, lines 35-37; column 4, lines 53-65; figure 4B).

However, Stewart fails to disclose that the system uses a periodic timer.

In the same field of endeavor, Watanabe et al. clearly show and disclose that a base station periodically advertises location area numbers corresponding to a plurality of mobile terminal status numbers, and the mobile terminal monitors advertising signals at the advertising information monitoring unit 1c. Upon receiving advertising information, the mobile terminal compares a location area number corresponding to the mobile terminal status number to which the terminal belongs to the location area number managed at the location information storing unit. By performing this comparison, if the two numbers are different, the mobile terminal can detect the fact that the location area has changed. If the two numbers are different, the mobile terminal sends a location registration request signal to the base station. The mobile terminal sends its mobile device number and mobile terminal status information by adding them to a location registration request signal. Upon receiving the location registration request signal, the base station determines a location area based on the mobile terminal status information at the location area determining function unit 3c. Then, a periodic location registration timer value corresponding to the mobile terminal status number is determined at the periodic location registration timer value storing unit. Then, the base station transmits the location registration request signal to the location information management node. To this location

registration request signal, its mobile device number, mobile terminal status information, the location area number and the periodic location registration timer value are attached such that the respective information is advertised by means of this location registration request signal. Upon receiving the location registration request signal, the location information management node updates the location area number and the mobile terminal status number, mobile terminal status number for the mobile terminal, and activates the periodic location registration timer. Then, the location information management node sends back a location registration response to the base station. The base station in turn sends back the location registration response signal containing the determined mobile terminal status number, the location area number, and the periodic location registration timer value to the mobile terminal. Upon receiving this location registration response signal, the mobile terminal stores the mobile terminal status number and the location area number respectively in the mobile terminal status number storing unit and the location information storing unit id, and activates the periodic location registration timer. Once the periodic location registration timer expires, the mobile terminal sends a location registration request signal to the base station. When the periodic location registration timer expires, a location registration request is sent to the base station, and settings for a location area are made based on the mobile terminal status information sent from the mobile terminal, reading on the claimed transmitting position updates from said wireless device via a wireless data network to a server, said server including a periodic timer for determining when said position updates are

to be received from said wireless device, said timer being activated responsive to a registration of said associated ones with said server, wherein said position updates are to be received upon periodic expirations of the timer," (paragraph 36).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have a periodic timer to update location information as taught by Watanabe et al. in the system of Stewart, in order to provide the server with updated information on the mobile unit or portable telephone.

Consider **claim 15**, Stewart, as modified by Watanabe et al., clearly shows and discloses the claimed invention **as applied to claim 14 above**, and in addition, Stewart further discloses a portable telephone with a position locator such as a GPS receiver. The GPS location detector uses signals from any series of positioning satellites to ascertain the geographical location of the portable telephone, reading on the claimed "receiving one or more positioning signals comprises receiving one or more signals from a global positioning network," (column 1, lines 51-52; column 6, lines 4-7).

10. **Claims 4-6 and 16-18** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Stewart (U.S. Patent # 6,643,516 B1)** in view of **Watanabe et al. (Pub # U.S. 2003/0013444 A1)**, and in further view of **Verdonk (U.S. Patent # 6,330,454 B1)**.

Consider **claim 4**, and **as applied to claim 1 above**, Stewart, as modified by Watanabe et al., clearly shows and discloses the claimed invention except that the centralized base station queries the plurality of first telephones and portable telephone for a location request or location signal in the preselected time.

In the same field of endeavor, Verdonk discloses a system for locating mobile units, reading on the claimed "network clients," operating within a wireless communication system. Upon initiation of the location determination for a mobile unit, the customer server **140** sends a location determination request to the Service Control Point (SCP) **142**. The SCP receives the location determination request, and sends it to the home location register (HLR) **110**. The HLR determines the Mobile Switching Center (MSC) **102** serving the mobile unit, and sends a route request to the serving MSC. The serving MSC receives the route request and accesses its visitor location register (VLR) **108**, or sends a page to the mobile unit, reading on the claimed "server sends one or more queries to an associated network client if a predetermined status message has not been received within a predetermined period as determined upon expiration said timer," (column 2, lines 42-45; column 5, lines 2-4, 20-21, 33-36 and 38-41).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to enable a server in a telecommunications system to query a mobile device as taught by Verdonk in the

system of Stewart, as modified by Watanabe et al., in order to provide the server with updated information on the mobile unit or portable telephone.

Consider **claim 5**, the combination of Stewart and Watanabe et al., as modified by Verdonk, clearly shows and discloses the claimed invention as **applied to claim 4 above**, and in addition, Stewart discloses a centralized base station having a location identification means for determining the location of the calling one of the first telephones from a caller identification carried by the incoming signal, reading on the claimed "predetermined status message comprises one or more identification signals," (column 2, lines 56-59).

Consider **claim 6**, the combination of Stewart and Watanabe et al., as modified by Verdonk, clearly shows and discloses the claimed invention as **applied to claim 4 above**, and in addition, Verdonk discloses the customer server sends a location determination request to the SCP, which sends a location determination request it to the HLR. The HLR sends a route request to the serving MSC, which then accesses its VLR, or sends a page to the mobile unit (column 2, lines 42-45; column 5, lines 2-4, 20-21, 33-36 and 38-41). With the location information determined by the serving MSC, it responds to the HLR with the location information, reading on the claimed "predetermined status message comprises one or more location-related update signals," (column 5, lines 55-58).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide that a server in a telecommunications system queries a mobile device as taught by Verdonk in the

system of Stewart, as modified by Watanabe et al., in order to receive location-related information on the mobile unit or portable telephone.

Consider **claim 16**, and **as applied to claim 14 above**, Stewart, as modified by Watanabe et al., clearly shows and discloses the claimed invention except that the centralized base station is adapted to query the portable telephone for a location request or location signal in the preselected time.

In the same field of endeavor, Verdonk discloses a method for locating mobile units operating within a wireless communication system. Upon initiation of the location determination for a mobile unit, the customer server sends a location determination request to the SCP, which sends a location determination request it to the HLR. The HLR sends a route request to the serving MSC, which then accesses its VLR, or sends a page to the mobile unit, reading on the claimed "server is adapted to query said wireless device if a predetermined status message has not been received within a predetermined period determined upon expiration said timer," (column 2, lines 42-45; column 5, lines 2-4, 20-21, 33-36 and 38-41).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to enable a server in a telecommunications method to query a mobile device as taught by Verdonk in the system of Stewart, as modified by Watanabe et al., in order to provide the server with updated information the portable telephone.

Consider **claim 17**, the combination of Stewart and Watanabe et al., as modified by Verdonk, clearly shows and discloses the claimed invention as **applied to claim 16 above**, and in addition, Stewart discloses a centralized base station having a location identification means for determining the location of the calling one of the first telephones from a caller identification carried by the incoming signal, reading on the claimed "predetermined status message comprises one or more identification signals," (column 2, lines 56-59).

Consider **claim 18**, the combination of Stewart and Watanabe et al., as modified by Verdonk, clearly shows and discloses the claimed invention as **applied to claim 16 above**, and in addition, Verdonk discloses the customer server sends a location determination request to the SCP, which sends a location determination request it to the HLR. The HLR sends a route request to the serving MSC, which then accesses its VLR, or sends a page to the mobile unit (column 2, lines 42-45; column 5, lines 2-4, 20-21, 33-36 and 38-41). With the location information determined by the serving MSC, it responds to the HLR with the location information, reading on the claimed "predetermined status message comprises one or more location-related update signals," (column 5, lines 55-58).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide that a server in a telecommunications method to query a mobile device as taught by Verdonk in the system of Stewart, as modified by Watanabe et al., in order to receive location-related information on the portable telephone.

11. **Claim 10** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Stewart (U.S. Patent # 6,643,516 B1)** in view of **McDowell et al. (Pub # US 2002/0035605 A1)**, and in further view **Watanabe et al. (Pub # U.S. 2003/0013444 A1)**.

Consider **claim 10**, Stewart clearly shows and discloses a centralized base station, reading on the claimed "telecommunications server," with a transceiver, wherein the centralized base station includes a router which receives incoming location request signals and is capable of waiting a preselected time from receipt of location request signal. It is inherent that a timer is necessary for this process, reading on the claimed "telecommunications server including a timer for determining when location information is to be received from associated ones of plurality of users," (column 2, line 53; column 4, lines 53-65).

However, Stewart does not disclose that the centralized base station includes a presence control unit and a location control unit.

In the same field of endeavor, McDowell et al. clearly show and disclose a computing platform, reading on the claimed "telecommunications server," that facilitates communications for wireless subscribers of a wireless network, comprising: a presence module that maintains data concerning network presence of the wireless subscribers, reading on the claimed "presence control unit adapted to receive and maintain presence information for a plurality of users," and a location proxy module that maintains location data concerning physical location of the wireless subscribers, reading on the claimed "location control unit

adapted to receive and maintain location information for said plurality of users, said location information correlated with said presence information," (paragraph 0034).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a computing platform with a presence module, as well as a location proxy module as taught by McDowell et al. in view of Stewart, in order to receive and maintain presence and location information in a centralized base station.

However, Stewart fails to disclose that the system uses a periodic timer.

In the same field of endeavor, Watanabe et al. clearly show and disclose that a base station periodically advertises location area numbers corresponding to a plurality of mobile terminal status numbers, and the mobile terminal monitors advertising signals at the advertising information monitoring unit 1c. Upon receiving advertising information, the mobile terminal compares a location area number corresponding to the mobile terminal status number to which the terminal belongs to the location area number managed at the location information storing unit. By performing this comparison, if the two numbers are different, the mobile terminal can detect the fact that the location area has changed. If the two numbers are different, the mobile terminal sends a location registration request signal to the base station. The mobile terminal sends its mobile device number and mobile terminal status information by adding them to a location registration request signal. Upon receiving the location registration request signal, the base station determines a location area

based on the mobile terminal status information at the location area determining function unit 3c. Then, a periodic location registration timer value corresponding to the mobile terminal status number is determined at the periodic location registration timer value storing unit. Then, the base station transmits the location registration request signal to the location information management node. To this location registration request signal, its mobile device number, mobile terminal status information, the location area number and the periodic location registration timer value are attached such that the respective information is advertised by means of this location registration request signal. Upon receiving the location registration request signal, the location information management node updates the location area number and the mobile terminal status number, mobile terminal status number for the mobile terminal, and activates the periodic location registration timer. Then, the location information management node sends back a location registration response to the base station. The base station in turn sends back the location registration response signal containing the determined mobile terminal status number, the location area number, and the periodic location registration timer value to the mobile terminal. Upon receiving this location registration response signal, the mobile terminal stores the mobile terminal status number and the location area number respectively in the mobile terminal status number storing unit and the location information storing unit id, and activates the periodic location registration timer. Once the periodic location registration timer expires, the mobile terminal sends a location registration request signal to the base station. When the periodic location

registration timer expires, a location registration request is sent to the base station, and settings for a location area are made based on the mobile terminal status information sent from the mobile terminal, reading on the claimed "server includes a timer for determining when said location information is to be received from associated ones of said plurality of users, said periodic timer being activated responsive to a registration of said associated ones with said telecommunications server, such that said location information is received upon periodic expirations of the timer," (paragraph 36).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have a periodic timer to update location information as taught by Watanabe et al. in the system of Stewart, in order to provide the server with updated information on the mobile unit or portable telephone.

12. **Claims 11, 12 and 13** are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of **Stewart (U.S. Patent # 6,643,516 B1)** and **McDowell et al. (Pub # US 2002/0035605 A1)**, in view of **Watanabe et al. (Pub # U.S. 2003/0013444 A1)**, and in further view of **Verdonk (U.S. Patent # 6,330,454 B1)**.

Consider **claim 11**, and **as applied to claim 10 above**, the combination of Stewart and McDowell et al., as modified by Watanabe et al., clearly show and disclose the claimed invention except that the location control unit queries an associated one of the plurality of users.

In the same field of endeavor, Verdonk discloses a system and method for locating mobile units operating within a wireless communication system. Upon initiation of the location determination for a mobile unit, the customer server sends a location determination request to the SCP, which sends a location determination request to the HLR. The HLR sends a route request to the serving MSC, which then accesses its VLR, or sends a page to the mobile unit, reading on the claimed "location control unit is adapted to query an associated one of said plurality of users if a predetermined status message has not been received within a predetermined period determined by said timer," (column 2, lines 42-45; column 5, lines 2-4, 20-21, 33-36 and 38-41).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to enable a server in a telecommunications system to query a mobile device as taught by Verdonk in the combination of Stewart and McDowell et al., as modified by Watanabe et al., in order to provide the location proxy module within the server with updated information on the mobile unit or portable telephone.

Consider **claim 12**, the combination of Stewart, McDowell et al. and Watanabe et al., as modified by Verdonk, clearly show and disclose the claimed invention **as applied to claim 11 above**, and in addition, Stewart discloses a centralized base station having a location identification means for determining the location of the calling one of the first telephones from a caller identification

carried by the incoming signal, reading on the claimed "predetermined status message comprises one or more identification signals," (column 2, lines 56-59).

Consider **claim 13**, the combination of Stewart, McDowell et al. and Watanabe et al., as modified by Verdonk, clearly show and disclose the claimed invention **as applied to claim 11 above**, and in addition, Verdonk discloses that the customer server sends a location determination request to the SCP, which sends a location determination request it to the HLR. The HLR sends a route request to the serving MSC, which then accesses its VLR, or sends a page to the mobile unit (column 2, lines 42-45; column 5, lines 2-4, 20-21, 33-36 and 38-41). With the location information determined by the serving MSC, it responds to the HLR with the location information, reading on the claimed "predetermined status message comprises one or more location-related update signals," (column 5, lines 55-58).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide that a server in a telecommunications system queries a mobile device as taught by Verdonk in the combination of Stewart and McDowell et al., as modified by Watanabe et al., in order to receive location-related information at the location proxy module on the mobile unit or portable telephone.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jaime M. Holliday whose telephone number is (571) 272-8618. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Jaime Holliday

Patent Examiner

JEAN GELIN
PRIMARY EXAMINER

